

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ADVANCED CLUSTER SYSTEMS, INC.,

Plaintiff,

v.

NVIDIA CORPORATION, NVIDIA
SINGAPORE PTE. LTD., AND NVIDIA
INTERNATIONAL, INC.

Defendants.

Civil Action No. 1:19-cv-02032-MN-CJB

**PLAINTIFF ADVANCED CLUSTER SYSTEMS, INC.’S SUPPLEMENTAL INITIAL
DISCLOSURES**


Pursuant to Federal Rule of Civil Procedure 26(a)(1), Plaintiff Advanced Cluster Systems, Inc. (“ACS”) hereby makes the following initial disclosures to Defendants NVIDIA Corporation (“NVIDIA Corp.”), NVIDIA International, Inc. (“NVIDIA International”), and NVIDIA Singapore Pte. Ltd. (“NVIDIA Singapore,” collectively, “Defendants” or “NVIDIA”). These initial disclosures are based on information and documents presently available to and located by ACS and its attorneys. ACS reserves the right to supplement, revise, correct, or otherwise amend these initial disclosures, to assert additional defenses and theories that it later develops, and/or to produce additional information during the course of discovery, as provided by the Federal Rules of Civil Procedure and the Court’s Local Rules, and to rely on such information as evidence in this action. By making these disclosures, ACS does not waive any applicable privilege, work product protection, or other immunity, and reserves the right to object to the production or admissibility of any information included below:

A. INDIVIDUALS LIKELY TO HAVE KNOWLEDGE OF DISCOVERABLE FACTS

ACS has not yet identified all of the persons whom it may use to support its claims and defenses in this action. Upon information and belief, other persons having discoverable information which ACS may use to support its claims may be uncovered during discovery. However, pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i), ACS identifies the following persons who may have discoverable information that ACS may use to support its claims or defenses. Where indicated, the individuals should be contacted through counsel for ACS at the following address and telephone number:

Attn: Cheryl Burgess
 Knobbe, Martens, Olson & Bear, LLP
 2040 Main Street, 14th Floor
 Irvine, CA 92614
 Telephone: (949) 760-0404

Name	Area of Knowledge	Contact Information
Zvi Tannenbaum Advanced Cluster Systems, Inc.	ACS's business and products; ownership, conception, reduction to practice, and subject matter of U.S. Patent Nos. 8,082,289, 8,140,612, 8,676,877, and 10,333,768; design, development, and operation of Supercomputing Engine for Mathematica™ (SEM™) and Supercomputing Engine Technology™ (SET™); sales and marketing of Supercomputing Engine for Mathematica™ (SEM™) and Supercomputing Engine Technology™ (SET™).	Advanced Cluster Systems, Inc., 220 Newport Center Drive, #11-202, Newport Beach, CA 92660 TO BE CONTACTED ONLY THROUGH COUNSEL FOR ACS

Name	Area of Knowledge	Contact Information
Dr. Dean E. Dauger Advanced Cluster Systems, Inc.	Ownership, conception, reduction to practice, and subject matter of U.S. Patent Nos. 8,082,289, 8,140,612, 8,676,877, and 10,333,768; design, development, and operation of Supercomputing Engine for Mathematica™ (SEM™) and Supercomputing Engine Technology™ (SET™).	Advanced Cluster Systems, Inc., 220 Newport Center Drive, #11-202, Newport Beach, CA 92660 TO BE CONTACTED ONLY THROUGH COUNSEL FOR ACS
Stephen Jones	NVIDIA's knowledge of Supercomputing Engine Technology™ (SET™) and U.S. Patent Nos. 8,082,289, 8,140,612, 8,676,877, and 10,333,768.	TO BE CONTACTED ONLY THROUGH COUNSEL FOR NVIDIA
John Bancroft	The long-felt but unmet need for the solution provided by ACS's Supercomputing Engine for Mathematica™ (SEM™) and Supercomputing Engine Technology™ (SET™) products, the failure of others to meet that need, and the skepticism of SET in the industry.	TO BE CONTACTED ONLY THROUGH COUNSEL FOR MR. BANCROFT
Peter Taborek	The operation of ACS's Supercomputing Engine for Mathematica™ (SEM™)	

ACS reserves the right to name additional individuals with knowledge concerning its claims and defenses as discovery progresses.

B. DOCUMENTS AND THINGS IN THE POSSESSION OF COUNSEL OR THE PARTY

ACS identifies the following categories of non-privileged documents, electronically stored information, and tangible things that are in its possession, custody or control that ACS currently believes it may use to support its claims or defenses, unless solely for impeachment. By providing

the following categories of documents, ACS does not waive its right to object to the production of any document in its possession, custody or control based on grounds of attorney-client privilege, work product immunity, or any other applicable privilege or immunity.

ACS's disclosure of the following categories of documents and things is based solely upon information ACS has been able to discover up to the present date and shall not be deemed a representation that additional documents do not exist. ACS reserves the right to supplement these disclosures as its investigation of the facts of this case continues.

- (a) Documents relating to the conception, reduction to practice, and subject matter of U.S. Patent Nos. 8,082,289, 8,140,612, 8,676,877, and 10,333,768;
- (b) Documents relating to the design, development, operation, and sales of SEM™ and SET™;
- (c) Documents pertaining to the asserted patents, including their prosecution histories;
- (d) Documents pertaining to prior art to the asserted patents;
- (e) Documents pertaining to the accused products.

The documents and things identified above are located at Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14th Floor, Irvine, CA 92614 or Advanced Cluster Systems, Inc., 220 Newport Center Drive, #11-202, Newport Beach, CA 92660.

C. STATEMENT OF BASIS FOR ANY DAMAGES CLAIMED

ACS seeks monetary relief for all damages sustained by ACS by virtue of Defendants' acts, as set forth in the Complaint. ACS seeks damages adequate to compensate for the infringement, but in no event less than a reasonable royalty, and enhanced damages under 35 U.S.C. § 284. ACS also seeks its reasonable attorneys' fees under 35 U.S.C. § 285.

ACS has not yet made a computation of any category of damages pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iii) because ACS requires discovery from Defendants in order to do so. ACS expects that it will produce such information and supporting documentation through an expert witness and report at the appropriate time, pursuant to Fed. R. Civ. P. 26(a)(2) and the Court's case scheduling order in this matter.

D. Insurance

[REDACTED]

[REDACTED]

[REDACTED]

August 26, 2022

/s/ Cheryl T. Burgess

Karen E. Keller (No. 4489)
SHAW KELLER LLP
I.M. Pei Building
1105 N. Market Street, 12th Floor
Wilmington, DE 19801
(302) 298-0700
kkeller@shawkeller.com

Jon W. Gurka (Admitted *Pro Hac Vice*)
Brian C. Claassen (Admitted *Pro Hac Vice*)
Cheryl Burgess (Admitted *Pro Hac Vice*)
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
(949) 760 0404
jon.gurka@knobbe.com
brian.claassen@knobbe.com
cheryl.burgess@knobbe.com

Karl W. Kowallis
KNOBBE, MARTENS, OLSON & BEAR, LLP
1155 Avenue of the Americas, 24th Floor
New York, NY 10036
(212) 849-3024
karl.kowallis@knobbe.com

Ben K. Shiroma